

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

JAMES RYALS, JR., et al.,

Plaintiffs,

v.

HIRERIGHT SOLUTIONS, INC., et al.,

Defendants.

Case No. 3:09cv625

**PLAINTIFF'S MEMORANDUM IN SUPPORT OF MOTION  
TO PERMIT USE OF CONSUMER REPORTS FOR CLASS NOTICE**

COMES NOW, the Plaintiffs and Class Counsel, and in support of Plaintiffs' Consent Motion to Permit Use of Consumer Reports for Class Notice, state as follows:

Pursuant to the Settlement Agreement, the Defendants have provided a database of names and addresses of all class members. Despite Defendant's best efforts, a number of these class members do not have current or complete mailing addresses or other contact information.

Accordingly, the Settlement Administrator, RSM McGladrey, Inc. (the Settlement Administrator) has requested permission to purchase and use skip-trace information from appropriate and industry recognized "skip-tracing" databases.. Some of this information may be governed and protected by the federal Fair Credit Reporting Act (FCRA), 15 U.S.C. §1681b, which prohibits a person from obtaining or using a consumer report without a permissible purpose to do so. One of the purposes permitted under the FCRA is pursuant to a Court Order. Accordingly, the Plaintiffs and Class Counsel move the Court for an Order permitting use pursuant to 15 U.S.C. § 1681b(a)(1), with such

information to remain governed by the standing Protective Order already entered in this case on August 9, 2010. (Docket #48).

Respectfully submitted,

**JAMES RYALS, JR., et al,**

/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 25<sup>th</sup> day of July, 2011, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record including the following:

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